



OFFICE OF THE SECRETARY OF DEFENSE

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MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
DIRECTOR, DEFENSE INTELLIGENCE AGENCY
DIRECTOR, DEFENSE SECURITY SERVICE
DIRECTOR, NATIONAL GEOSPATIAL-INTELLIGENCE
AGENCY
DIRECTOR, NATIONAL RECONNAISSANCE OFFICE
DIRECTOR, NATIONAL SECURITY AGENCY

SUBJECT: Decisions and Way Ahead from the November 6, 2009 Defense Intelligence
Human Resources Board (DIHRB)

On November 6, 2009, the DIHRB met and agreed upon a way ahead for this interim period, October 28, 2009 – December 31, 2010, during which certain pay authorities are suspended under the NDAA FY 2010. The DIHRB accepted and agreed to the following that apply consistently across the Defense Intelligence enterprise, with the exception of employees at the National Geospatial-Intelligence Agency, who were specifically exempted from the suspension of certain pay authorities, and employees at the National Security Agency (NSA) who will remain under GS/GG grades.

GS/GG Equivalents (GGEs). All employees in DCIPS occupational bands will be aligned to a GS/GG grade, referred to as their GS/GG Equivalent (GGE). New hires will be assigned under the DCIPS occupational structure and provided a GGE upon joining a DCIPS organization. Employees receiving salary advancement through promotions or other processes, e.g., grandfathered career ladders or developmental progression programs, will receive a new GGE upon that salary advancement. GGEs will be determined using the appropriate process from one of the four options below:

1. GGEs for employees with no change in salary since component conversion to DCIPS occupational bands will be set at the employee's grade at time of component conversion. The annual general pay increase (GPI) does not count as a change in salary for this purpose.
2. GGEs for employees hired after component conversion, but prior to October 28, 2009, whose salaries can be found at more than one GGE within their occupational band, will be assigned a GGE using the representative rate method.¹

¹ Representative rate is defined at 5 CFR §351.203. The representative rate method sets the employee's GGE at the highest GGE within the occupational band where the employee's salary is at or above the Step 4. For those employees whose GGE would be set lower than a previously held grade using the representative rate method, the GGE will be set at the previously held grade that is within the employee's band. For those employees whose salary is not at or above the Step 4 of any GGE in the band, the lowest GGE in the band will apply.



3. GGEs for employees promoted under DCIPS occupational bands prior to October 28, 2009, or who received salary advancement through other salary progression programs (e.g., grandfathered career ladders or developmental progression) whose salaries can be found at more than one GGE within their occupational band, will be assigned a GGE using the representative rate method.²
4. Employees joining DCIPS components after October 28, 2009 will be appointed to positions classified within the DCIPS occupational band structure, have their salary set in alignment to a GS/GG grade and step, and will be advised of their GS/GG alignment through assignment of a GGE.

Periodic Increases. Effective October 28, 2009, eligible employees (e.g., those performing at least at the Successful level, below the step 10 of their GGE and who have met the appropriate waiting period) will receive periodic increases, equivalent to within grade increases (WGIs) under 5 CFR §531.412. GGEs will be used to determine waiting periods for periodic increases, to be paid at the same amounts and according to the same waiting periods (1, 2 or 3 years) as WGIs. Periodic increases can be paid up to step 10 of the GGE. The authority to pay such increases was effective with the enactment of the NDAA FY2010. The earliest effective date of a periodic increase is November 8, 2009; the first day of the first pay period following enactment of the NDAA FY2010.

Last Equivalent Increase (LEI) Dates. LEI dates will be used to establish the appropriate due date for periodic increases for eligible employees. The LEI for most employees is the date of conversion to DCIPS occupational bands, which was the date the employee's WGI buy-in was effective and the employee was provided a salary increase equivalent to the amount of time he or she had worked towards his or her next WGI. Exceptions are those employees who were appointed to DCIPS after conversion or employees who received a salary increase since conversion to DCIPS bands. Employees reassigning from one DCIPS banded component to another do so at the same salary, and therefore retain their LEI date (unless receiving a salary advancement or band to band promotion).

Lateral Reassignments. Employees may be reassigned to other positions or duties within the same occupational band and work category (e.g., Professional Work Category in Band 3 to Professional Work Category in Band 3) with or without competition. Positions within an occupational band remain similar enough in scope, responsibility and experience required to support movement within the band. Such lateral movements do not require changes to the LEI.

² Ibid.

Vacancy Announcements. As always, announcements must include a clear description of the work to be performed, including the level of authority and scope of responsibilities, and must include the full salary range for the band of the position, up to the step 10 of the corresponding GGE, but no more than the title 5 maximum pay limitation of Executive Level IV (which is \$153,200 for 2009). Announcements must note minimum qualifications requirements, including successful performance and one year performing the type of duties of the position. All vacancy announcements will include a standard statement providing the alignment of the occupational band to GS/GG grades. This should appear in the beginning of the narrative section on all announcements, including USAJobs. The following statement was agreed upon for use by all:

"This is an occupational band __ job in the Defense Civilian Intelligence Personnel System (DCIPS). Band __ duties are at the _____ work level, and are equivalent to those at the GS/GG __ and _____. The selectee's salary will be set within the band equivalent to a GS/GG grade based on the selectee's qualifications in relation to the job."

Areas of Consideration Under Vacancy Announcements. Areas of consideration may be all sources, or smaller, but in all cases, the area of consideration must be large enough to attract a diverse pool of qualified applicants.

Selections Under Vacancy Announcements. Selections will continue to be made in consonance with Merit Systems Principles. Upon selection, a determination must be made as to whether the duties of the new position are at the same level as the current position, or due to increased scope and responsibility, warrant an advancement of salary. This is aligned with the general principles of title 5, which do not provide for salary advancement for reassignments to the same level of work, but for assignments that are broader in scope and responsibility. A factor worksheet will be provided for assistance in making the determination of whether there is an increase in scope and responsibility that would warrant an advancement of salary. Use of the factors provided for this purpose will be mandatory; however, the format e.g., on-line, hard copy, will be up to the individual organization.

Requirement for Competition. In general, all salary advancement within a DCIPS occupational band, or to a higher band, requires competition. Exceptions to this requirement include career ladders continued at conversion, documented developmental progression programs, and classification actions such as accretion of duties to a band with a higher maximum rate of pay, in accordance with the general principles of title 5.

Band to Band Promotions. Salary for employees competitively selected under vacancy announcements to positions within an occupational band with a higher maximum rate of pay is set as a GGE in accordance with title 5 pay setting rules for promotions, and aligns to a GS/GG grade and step, not to exceed step 10 of the employee's GGE.

Salary Advancement within a Band. Employees may receive salary advancements for some reassignments to new positions in the same band. Such salary advancements, as with GS/GG grade to grade promotions under title 5, and will apply standard criteria across the Defense intelligence enterprise. Salary advancements will be calculated to be equivalent to the amount of a GS/GG to GS/GG promotion, in accordance with title 5 pay setting rules. The sections titled “Selections Under Vacancy Announcements” and “Requirements for Competition” provide related information.

Offer Letters. All offer letters will include a standard statement providing the alignment from DCIPS occupational bands to GS/GG grades. The following statement was agreed upon for use by all:

"Congratulations on your selection for the position of _____ at _____. This is an occupational band ____ position (_____ (fill in work level)) in the Defense Civilian Intelligence Personnel System (DCIPS) under title 10, United States Code, sections 1601-1614. The National Defense Authorization Act of FY2010 suspended certain pay authorities of the DCIPS until December 31, 2010, and instead requires rates of basic pay be fixed in accordance with the provisions of law that would otherwise apply. In compliance with the NDAA language, your GS/GG Grade Equivalent (GGE) is _____ and your salary is _____."

Position Classification. Position classification does not change during this interim period. Employees continue to be assigned to positions classified to a DCIPS occupational band, work category and work level.

Pay Setting for New Employees. Hiring officials and human resources officers or managers will set pay within the salary range of the occupational band, aligned to a GS/GG grade and step, in accordance with title 5 considerations. The entire salary range of the occupational band is used, up to step 10 of the GGE. Salary cannot be set above step 10 of the GGE. If the salary can be found in more than one GGE, the representative rate method (see footnote 1) is used to determine appropriate GGE alignment.

Quality Step Increases (QSIs). QSIs may be awarded to top performers in accordance with title 5 rules provided under 5 CFR §531.501. When awarded, QSIs are in amounts equivalent to one full WGI but cannot cause an employee's salary to exceed step 10 of their GGE. Component use of QSIs during this interim period will align with previous QSI trends and funding limitations, and a report on the use of QSIs will be provided to USD(I) with the annual performance management and bonus payout results by 31 March 2010 to support program evaluation requirements. QSIs do not reset an employee's LEI date.

Pay Pools for 2009. The NDAA FY2010 suspends certain pay authorities that would have permitted salary decisions to be made through pay pools. The 2009 pay pools will run as scheduled; however, only bonus decisions will be processed for payment. Salary decisions will be used for evaluation purposes only. Bonus, and salary decision data, will be used in the independent review of DCIPS mandated by NDAA FY2010. Previously established bonus policies and pay pool funding factors remain in effect and all bonuses will be determined using the DCIPS Compensation Workbench (CWB). Employee feedback forms have been modified to provide bonus information only.

Maximum Pay Limitations. The maximum pay limitation permits setting base pay up to the step 10 of the corresponding GGE, but no more than the Title 5 maximum pay limitation of Executive Level IV (\$153,200 for 2009).

January Pay Adjustments. All employees will receive the January 2010 general pay increase (GPI) and local market supplement (LMS) equivalent to locality pay, as applicable, regardless of performance, unless they are on retained pay.

Retained Pay. For this interim period, retained pay will follow title 5 rules. Employees on retained pay will receive 50 percent of the increase to the step 10 rate of the employee's GGE in January 2010.

Targeted Local Market Supplement (TLMS). Components can continue to use overseas TLMS and Polygrapher TLMS for current and future eligible employees. However, employees in non-foreign areas outside the contiguous United States may be impacted by separate NDAA FY2010 provisions related to non-foreign area allowances.

Communications Strategy. HCMO will lead an enterprise-wide communications effort, with assistance from the DCIPS Working Group, for consistency and commonality in educating our workforce on these interim rules and responding to questions from employees. HCMO will consolidate and share FAQs, and provide templates for explaining interim guidance to employees.



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Human Resources Board



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cc:

Assistant Deputy Chief of Staff, G-2, Department of the Army

Director of Naval Intelligence, Chief of Naval Operations (N2)

Director of Intelligence for Support, Headquarters, U. S. Marine Corps

Director of Intelligence, Surveillance and Reconnaissance Plans and Resources,
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Defense Intelligence Human Resources Board Members